

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

Case: 2:07-cr-20429
Assigned To: Cox, Sean F
Referral Judge: Whalen, R. Steven
Filed: 08-30-2007 At 01:20 PM
INDI USA V. DENISE NICHOLS (DA)

VIOLATIONS:

D-1 DENISE MARILYN NICHOLS,

Defendant.

Embezzlement of Union Assets
29 U.S.C. § 501(c)

Falsification of Union
Financial Records
29 U.S.C. § 439(c)

INDICTMENT

THE GRAND JURY CHARGES:

COUNT ONE

(29 U.S.C. § 501(c) - Embezzlement of Union Assets)

D-1 DENISE MARILYN NICHOLS

From on or about September 19, 2002, to on or about March 19, 2004, in the Eastern District of Michigan, DENISE MARILYN NICHOLS, Defendant herein, while acting as Secretary-Treasurer of Communications Workers of America (CWA) Local 4050, a labor organization engaged in an industry affecting interstate commerce, did engage in an ongoing

scheme where she embezzled, stole and unlawfully and willfully abstracted and converted to her own use, the moneys, funds, securities, property, or other assets of said labor organization by submitting time sheets for lost time for which she had already been paid by the union, and by claiming lost time for other times for which she was not entitled, in the approximate amount of Three Thousand Eight Hundred Four and 20/100 Dollars (\$3,804.20).

All in violation of Title 29, United States Code, Section 501(c).

COUNT TWO

(29 U.S.C. § 439(c) - Falsification of Union Financial Records)

D-1 DENISE MARILYN NICHOLS

1. At all times material to this Indictment, Communications Workers of America (CWA) Local 4050, was a labor organization in an industry affecting commerce within the meaning of Sections 402(i) and 402(j) of Title 29, United States Code.

2. That on or about December 23, 2003 in the Eastern District of Michigan, DENISE MARILYN NICHOLS, Defendant herein, while an officer, that is, Secretary-Treasurer of CWA, Local 4050, did willfully make and cause to be made, a false entry in a record required to be maintained by Section 436 of Title 29, United States Code, that is, Form LM-2 Labor Organization Annual Report, a record on matters required to be reported in the annual financial report of the Communications Workers of America (CWA) Local 4050 required to be filed with the Secretary of Labor.

All in violation of Title 29, United States Code, Section 439(c).

COUNT THREE
(29 U.S.C. § 439(c) - Falsification of Union Financial Records)

D-1 DENISE MARILYN NICHOLS

1. At all times material to this Indictment, Communications Workers of America (CWA) Local 4050, was a labor organization in an industry affecting commerce within the meaning of Sections 402(i) and 402(j) of Title 29, United States Code.

2. That on or about March 4, 2005 in the Eastern District of Michigan, DENISE MARILYN NICHOLS, Defendant herein, while an officer, that is, Secretary-Treasurer of CWA, Local 4050, did willfully make and cause to be made, a false entry in a record required to be maintained by Section 436 of Title 29, United States Code, that is, Form LM-2 Labor Organization Annual Report, a record on matters required to be reported in the annual financial report of the Communications Workers of America (CWA) Local 4050 required to be filed with the Secretary of Labor.

All in violation of Title 29, United States Code, Section 439(c).

THIS IS A TRUE BILL.

s/Grand Jury Foreperson
GRAND JURY FOREPERSON

STEPHEN J. MURPHY
United States Attorney

s/James M. Wouczyna
JAMES M. WOUCZYNA (P22562)
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DATED: August 29, 2007

United States District Court
Eastern District of Michigan

Criminal Case Cover Sheet

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NOTE: It is the responsibility of the Assistant U.S. Attorney signing this form to con

Companion Case Information	Companion Case Number:
This may be a companion case based upon LCrR 57.10 (b)(4) ¹ :	
Yes No XX	AUSA's Initials: <i>Sum</i>

Case Title: UNITED STATES v. D-1 DENISE MARILYN NICHOLS

County where offense occurred : Wayne

Check One: **XXX** **Felony** **Misdemeanor** **Petty**

- ☒ **Indictment; no prior complaint.**
- ☐ Indictment based upon prior complaint [Case number: _____]
- ☐ Indictment ____ Information ____ based upon LCrR 57.10 (d) [Complete Superseding section below].

Superseding Case Information:

Superseding to Case No: _____ **Judge:** _____

- ☐ Original case was terminated; no additional charges or defendants.
- ☐ Corrects errors; no additional charges or defendants.
- ☐ Involves, for plea purposes, different charges or adds counts.
- ☐ Embraces same subject matter but adds the additional defendants or charges below:

Defendant name

Charges

August 29, 2007

Date

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¹ Companion cases are matters in which it appears that substantially similar evidence will be offered at trial or the same of related parties are present, and the cases arise out of the same transaction or occurrence. Cases may be companion cases even though one of them may have already been terminated.